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ABSTRACT

Faculties in a number of institutions of higher education utilize collective bargaining agents to represent their interests. Collective bargaining is primarily a community college phenomenon. Of 212 institutions with certified bargaining agents, 150 are 2-year institutions. Motivating factors in choosing the collective bargaining process are: the faculty fear of administration policies, the need for recognition, the size and complexity of the school organization, and job security. The demonstration has influenced the faculty's perception of collective bargaining as a means of achieving their objective. Increasingly, state legislatures are recognizing the right of public employees to bargain collectively, and faculties are utilizing this change in attitude to increase benefits through organizing. Among the main dangers of faculty bargaining is the creation of an embattled and adversary climate that is a deterrent to program planning. To defend against this, administrators and legislators should try to understand and empathize with the forces and motivation present in faculty acceptance of unionization. (DB)

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FACULTY COLLECTIVE BARGAINING

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Position

Collective bargaining in higher education is both increasing ir popularity and gaining in strength. Faculties have concerns which they feel can be best handled from a position of strength, whether it be through a faculty association or a nationally recognized union.

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In recent years, faculties in a number of institutions of higher education have chosen collective bargaining agents to represent their interests. This movement got underway in 1963 with the organizing of Milwaukee Technical Institute, the first two-year post-secondary school to be unionized. The event was the result of a K-14 campaign begun by the American Federation of Teachers. In 1967, the first four-year college was organized - the United States Merchant Marine Academy. In the period between 1965 and 1970, several states enacted public employment collective bargaining legislation. These laws sometimes included public supported higher education in the state, and they provided a vehicle for accelerated organizing activity.

The organization of the City University of New York in 1968 marked the beginning of a substantial movement toward collective bargaining in four-year public colleges, but the phenomenon of collective bargaining in higher education is primarily a community college phenomenon. Of the 212 institutions with certified bargaining agents, 150 are two-year institutions. One explanation for this is that ties to the K-12 system are often strong in community colleges. Faculty there is more familiar with and comfortable with collective bargaining. The trend also seems to be in the direction of holding to the system once it is adopted. To date, no record of decertification exists.[1] Faculties may change bargaining agents to represent them, but once they are organized they remain organized.

What are the motivations that have driven faculty members in higher education to seek collective bargaining as a means

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to represent their interests? One motivation which is not always supported in fact is the fear of "atrocities" perpetrated by the administration. The unexplained release of a faculty member, sudden changes in policy, or rumors that the administration may discontinue a particular program all possess the capacity to strike fear in the hearts of insecure faculty members who, in turn, cultivate an atmosphere of paranoia. To them, any change in the status quo is interpreted as a personal threat to their security. When this happens they call out to others for support. Collective bargaining helps them answer the call.

Most self-respecting educators normally have a legitimate desire to participate in governance in some meaningful way. Tradition supports this position and logic demands its recognition, because it is the faculty who owns the tools of production - their knowledge and skill in imparting it. This is what prompts interested faculty members to serve on committees and devote their time and energy to formulating policies - policies which quite often seem to be ignored by the administration. The process can be a frustrating experience, especially for individuals who take their contribution seriously and who have the interest of the institution primarily at heart. Understandably, these efforts cannot always be rewarded to the extent that they probably should be, but failure to do so provides motivation to seek an alternate avenue of communication to receive recognition. By not accepting these contributions in the spirit they were intended, the institution loses faculty support to the collective bargaining process by default.

During the period of unprecidented student growth, there was also a corresponding expansion of building accompanied by

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an enlargement of administrative staff to supervise functions within those buildings. Additional faculty members were also hired to meet instructional needs, but as faculty members increased so did departments and divisions within the organization. Institutions became larger and more rigidly structured. Much of the personal touch was lost in the sheer vastness and complexity of the over all operation. It became less easy to be heard by one's appropriate supervisor and when problems demanded attention, it became more difficult to obtain the supportive services that the administration was designed to give. As time passed it became obvious that things would not get better unless some force were brought to bear. Once again collective bargaining answered the call.

When college enrollments began to decline over the nation in the early 1970's, job security became a valid concern of those faculty members who were hired during the period of expansion and were not yet on tenure. Others already on tenture feared program cutbacks and their subsequent release. Faculty members began to defend the principle of entrenchment. Collective bargaining seemed to offer hope to those who had no real defense against their dismissal due to decreased enrollment.

The impact of demonstration has had some influence upon how faculties viewed collective bargaining as a means of achieving their ends. Faculties who were not yet organized read about gains made by unionized faculties and concluded that they could obtain similar benefits by doing what worked for the other fellow. They simply followed a "monkey see, monkey do" course of action. This technique was particularly attractive if they had faced discouragement with traditional approaches to advance their causes.

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Demonstrations of one kind or another (not always violent) as a means of gaining recognition is currently a trend which is gaining popularity in the United States. The public's opinion of those who take a firm position on an issue and hold to it in the face of conflict has become much less critical in recent years.

Collective bargaining has gained respectability from a legal point of view also. Enabling legislation in many states provides both the permission and the structure for public employees to engage in collective bargaining. In the absence of specific state legislation, the applicable law concerning rights of organizations and collective bargaining is derived from other sources; common law, municipal law, and constitutional law. Legality no longer seems to present much of a barrier to those seriously interested in collective bargaining. Although the public sector presents a different mix of elements from that prevalent in the private sector, increasingly state legislatures are recognizing the right of public employees to bargain collectively. This tends to remove much of the controversy that accompanied unionization of public employees for so many years. Faculties are seizing upon this change in attitude to increase their benefits through organizing.

Finally, a few individuals accept the concept of collective bargaining because it is new to them and they do not know what else to do. They do not fully understand the ramifications of its operation, nor are they aware of the restrictions which may be imposed upon them through its processes. These are the individuals who go along with the crowd and do what everyone else is doing because it seems to be the popular thing to do at the

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moment. There are not many of them in higher education, but some do exist.

Probably more important than reasons why faculties decide to bargain collectively is the administrative response to the attitude, now that it appears to be immanent. Among the chief dangers of faculty bargaining is the creation of an embattled and adversary spirit that is a deterrent to program planning. The chief defense against this danger is an effort by administrators and legislators to understand and to empathize with the forces and motivation present in faculty acceptance of unionization.

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Footnotes

1. The statement that no faculty has been decertified after once having been certified was made by Dr. Neil S. Bucklew of Central Michigan University at a Faculty Collective Bargaining Conference held in New Orleans May 17, 1974. Dr. Bucklew was serving as a consultant to the conference.

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